

**Schedule D**

**List of Main Statutes Preempted by PROMESA**

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### **Statutory Provisions Bondholder Rights and Remedies**

1. 22 L.P.R.A. § 207 (providing bondholders a right to receivership in certain circumstances)
2. 22 L.P.R.A. § 208 (providing bondholders certain rights and remedies against PREPA)

### **Statutory Provisions Concerning Issuance and Terms of Bonds**

1. 22 L.P.R.A. § 195a-1(o), as amended by Act 17-2019, to require PREB approval of bond issuances under certain circumstances.
2. Act 101-2020 (providing AAFAF certain approval rights over bond issuances by Puerto Rico instrumentalities)

### **Statutes Concerning Means of Implementation of the Plan**

1. 22 L.P.R.A. § 195a-1(u), as amended by Act 17-2019, to require PREB approval for, among other things, the sale or transfer of PREPA's property, and may include limitations on the creation of subsidiaries or trusts, or the taking of any actions or measures as are necessary or convenient to exercise PREPA's power granted under its enabling act.

### **Statutes Concerning the Contribution in Lieu of Taxes and subsidies**

1. 22 L.P.R.A. § 212(b), to establish the Contribution in Lieu of Taxes (CILT) mechanism by which PREPA compensate municipalities.<sup>2</sup>
2. 22 L.P.R.A. § 814, to establish limitations to the future creation of any new electric power service subsidy, credit, or grant.<sup>3</sup>

### **Statutes Concerning Retirement**

1. Act 106-2017 (to the extent it does not allow participants in the PREPA ERS to participate in the Act 106 defined contribution plan).

### **Statutes enacted prior to PROMESA concerning the Restructuring of PREPA's debt**

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<sup>1</sup> The statutes listed herein are preempted for the reasons and solely to the extent set forth in Exhibit "A" to the Proposed Findings of Fact and Conclusions of Law.

The Debtor reserves the right to amend this list prior to the entry of the PREPA Confirmation Order.

<sup>2</sup> This provision is preempted solely to the extent it could be interpreted to exempt municipalities from paying the Legacy Charge.

<sup>3</sup> This provision is preempted solely to the extent it could be interpreted to restrict the creation of a new subsidy for low-income customers relating to the Legacy Charge.

1. 22 L.P.R.A § 1054x-1 (establishing the procedure by which the PREB had to determine and review the transition charges and adjustment mechanisms).
2. 22 L.P.R.A § 1054b(q) (to the extent, if any, it provides PREB certain approval review and approval over PREPA bond issuances under Title III).